



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In The Application of:
Gary Duffin et al.

ART UNIT: 1741

SERIAL NO.: CPA OF 09/696,854

EXAMINER: FOELAK, M

FILED: APRIL 24, 2002

ATTORNEY DOCKET:
OB007ML-1

FOR: Expandable Compositions and Methods
For Making and Using the Compositions

DATE: APRIL 24, 2002
MOBERLY, MISSOURI

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231
Box CPA

Sir:

Before calculating any fees due in connection with the above identified CPA or examining this application, please enter the following Preliminary Amendment. Please also find enclosed herewith a Version With Markings To Show Changes Made.

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<p>CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)</p> <p>Submit an original, and a duplicate for processing. <i>(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))</i></p>		<p>Docket No. OB007ML-1</p> <p><input type="checkbox"/> DUPLICATE <small>(Check box if applicable)</small></p>
First Named Inventor	Examiner	Group/Art Unit
GARY RAYMOND DUFFIN	FOELAK	1711

Address to:
Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution location, application (CPA)) of prior application number 09/696,854 filed on OCTOBER 26, 2000 and entitled:

"EXPANDABLE COMPOSITIONS AND METHODS FOR MAKING AND USING THE COMPOSITIONS"

1. ☒ Enter the unentered amendment previously filed on MARCH 11, 2002 under 37 CFR 1.116 in the prior nonprovisional application.

2. ☒ A preliminary amendment is enclosed.

3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).

a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ An Information Disclosure Statement (IDS) is enclosed:

a. ☐ PTO-1449

b. ☐ Copies of IDS Citations

6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED						
For	#Filed	#Allowed	#Extra		Rate	Fee
Total Claims	20	- 20 =	0	x	\$22.00	\$0.00
Indep. Claims	3	- 3 =	0	x	\$82.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						\$0.00
04/26/2002 GTEFFERA 00000136 09696854						BASIC FEE
01 FC:131 740.00 BP						TOTAL FILING FEE
						\$740.00
						\$740.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 15-0680 (Orscheln)

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☒ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$740.00 is enclosed.

9. ☒ Also enclosed:

PETITION FOR A TWO MONTH EXTENSION OF TIME IN USSN 09/696,854

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated:

APRIL 24, 2002


Signature

MICHAEL K. BOYER

Typed or printed name

33,085

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

EEC AVAILABLE COPY

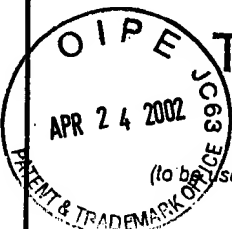
08-25-02

CPA/1700

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/696,854
Filing Date	10/26/00
First Named Inventor	DUFFIN
Group Art Unit	1741
Examiner Name	FOELAK
Attorney Docket Number	08007ML-1

Total Number of Pages In This Submission

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): CPA TRANSMITTAL CERT OF EXPRESS MAIL
Remarks CONF. No.: 2812		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MICHAEL K. BOYER
Signature	<i>Michael Boyer</i>
Date	APRIL 24, 2002

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 		
Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **GARY RAYMOND DUFFIN**

Docket No.

OB007ML-1

Serial No.

09/696,854

Filing Date

OCTOBER 26, 2000

Examiner

FOELAK

Group Art Unit

1711Invention: **EXPANDABLE COMPOSITIONS AND METHODS FOR MAKING AND USING THE COMPOSITIONS**

I hereby certify that this **CPA REQUEST TRANSMITTAL AND PETITION FOR EXTENSION OF TIME**
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

APRIL 24, 2002
(Date)

MICHAEL K. BOYER

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

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